

## MEETING MINUTES CITY OF MILPITAS

**Minutes of:** Joint Meeting of the Milpitas City Council and  
Milpitas Housing Authority  
**Date:** Tuesday, June 4, 2019  
**Time:** 6:00 PM Closed Session  
7:00 PM Open Session  
**Location:** Council Chambers, Milpitas City Hall,  
455 East Calaveras Blvd., Milpitas

---

**CALL TO ORDER** Mayor Tran called the joint meeting to order at 6:00 PM. City Clerk Mary Lavelle called the roll.

**PRESENT:** Mayor Tran, Vice Mayor Dominguez, Councilmembers Nuñez and Phan

**ABSENT:** Councilmember Montano was not present at roll call. She was in the Council Chambers just prior to roll call and was present at the start of Closed Session.

**CLOSED SESSION** City Council convened in Closed Session to discuss three matters listed on the agenda.

City Council came out to the dais for the Open Session regular agenda at 7:25 PM.

**ANNOUNCEMENT** City Attorney Chris Diaz stated out of Closed Session that City Council voted unanimously to appoint Steve McHarris to serve as City Manager on an interim basis at the established salary and including a monthly car allowance.

Mayor Tran took a moment to thank Ms. Julie Edmonds-Mares for her great work and service as the Milpitas City Manager for the past 15 months, with great service to the community, employees and City Council.

**PLEDGE** Boy Scouts Troop No. 92 presented the flags and led the pledge of allegiance.

**INVOCATION** Councilmember Nuñez invited Pastor Jeff Moore to offer a prayer to start the meeting. He asked for a moment of silence to remember those shot and killed in Virginia the previous Friday.

**PRESENTATION** Mayor Tran proclaimed July as *Parks & Recreation Month* in the City of Milpitas. The proclamation was accepted by Joanna Yaeger and her son Alex, who volunteered five days a week at the Senior Center, Sports Center and Community Center.

**PUBLIC FORUM** Audrey Brahmhatt spoke as a resident and volunteer for BPS charity in Milpitas, Bay Area chapter in Milpitas since 1991. She thanked City Council for its long term support, including for the walkathon attended recently by the Mayor and Vice Mayor.

Ana Narajo, addressed the City Council in Spanish, referred to the Council meeting on May 7, when rent control and just cause eviction was denied to Milpitas families. She had not seen any economic assistance from the City for tenants in the current emergency. She lived in Milpitas for 28 years, where her kids were born and raised.

Alejandra Narajo, addressed the City Council in Spanish, was a resident of Milpitas for 28 years. She asked for help to get rent control and just cause eviction passed. There was a need to help children and families. She urged the City to speak with the landlords to help tenants.

David Jenkins, resident, felt he was ignored except by two Councilmembers. There were needs to be handled by Public Works that he'd identified. His concern was about sidewalks, curbs,

potholes, and work done incorrectly from his view. Some had been addressed by Public Works Director Tony Ndah since he'd reached out to the City Council.

Rob Means, 1421 Yellowstone resident, referred to rent control and a flawed Stanford University study about rent control causing increase in rents. That study was not peer reviewed.

Tess Santos, a 39 year resident and Arts Commissioner, spoke about Dagupan City, Philippines association, asking to continue the Sister City relationship with that City in the P.I. Students were sponsored for most of the last 25 years. She urged renewal of the Memorandum of Understanding with Dagupan.

Mayor Tran said he would direct that request to staff, looking to Mr. McHarris.

Allysson McDonald, a 29 year resident, spoke of arguments made against tenant protection, referring to comments about rent control causing rent increases, and that landlords would no longer want to be landlords if rent control was implemented.

Yolie Garcia, a 47 year resident, thought the budget would include funds for emergency needs of residents. She'd like that included in the new budget to be discussed, not at the mid-year.

Mayor Tran looked toward staff, and the City Attorney said staff may refer to some programs within the budget that City Council might consider.

Sandy Perry, a San Jose resident, was concerned about the Housing Subcommittee, noting some people showed up this date to attend a meeting but apparently it did not happen. There needed to be a functional Subcommittee. He urged Council to set up an emergency fund in the new budget.

Mayor Tran and Councilmember Nuñez responded to the last few speakers, and apologized about no Subcommittee meeting on this date.

Voltaire Montemayor, resident, mentioned he'd just had cataract surgery on both eyes. Milpitas would shine, with a lot still to do. Improve traffic and there are 32 or 34 parks in Milpitas.

## **ANNOUNCEMENTS**

Interim City Manager McHarris introduced new Finance Director Walter Rossmann, who started with the City the previous day. Mr. Rossmann had worked for five cities before joining the City of Milpitas and he thanked the city for his chance to work in Milpitas.

Mr. McHarris noted that the regular June 18 City Council meeting agenda would be lengthy – and a busy one. Later on, he said the Council might need to discuss the opportunity for a Special Meeting if needed to complete all business before the scheduled Council recess in July.

Councilmember Phan welcomed Mr. Rossmann and thanked Jane Corpus for stepping in as Interim Finance Director prior to the new Finance Director's arrival.

## **ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

City Attorney Diaz asked Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. By roll call, none were reported.

Councilmember Montano had received a donation from McCarthy Ranch during the last campaign (agenda item no. 13 regarding electronic billboard). Mayor Tran asked the City Clerk to check if he had received anything similar in his last campaign for election. Later in the meeting, Mary Lavelle reported he did receive at least four contributions from McCarthys in the 2018 campaign.

## **APPROVAL OF AGENDA**

Motion: to approve the meeting agenda, as submitted

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

Motion carried by a vote of: AYES: 5  
NOES: 0

## CONSENT CALENDAR

Motion: to approve the consent calendar including agenda items no. 1, 2, 6, 7, 9 and 10

Councilmember Phan requested to add item no. 13 (electronic billboard) to consent and to defer No. 14 until after the recess. However, Mayor Tran wanted to discuss both, so he disagreed.

Councilmember Montano asked to remove item no. C3 (street resurfacing), C4 (enterprise fleet), C5 (Historical Grant) and C8 (write-offs) from consent.

Councilmember Nuñez asked if agenda item no. C6 (Delegation of Authority to City Manager) was something discussed previously, and Mr. McHarris replied that this meeting's action was only intended for the recess period during July.

Councilmember Phan asked for item no. 13 to be heard first for discussion.

Motion/Second: Councilmember Nuñez/Councilmember Phan

Motion carried by a vote of: AYES: 5  
NOES: 0

Mayor Tran said items would be heard with No. 11 and No. 13 first, and then in order.

### C1. Council Calendars

Accepted City Council calendar for June 2019.

### C2. Meeting Minutes

Approved City Council meeting minutes of May 15, 21 and 28, 2019.

### 3. Adopt Resolution

This item was removed from consent. Councilmember Montano asked which streets would the following action cover. Transportation Engineer Steve Chan replied streets resurfacing would occur on Park Blvd., Jacklin and a small segment of Hillview.

Ms. Montano noticed some neighborhoods needed to be resurfaced and asked when the City would focus on select neighborhoods, e.g. Summerwind. Mr. Chan replied regarding the pavement management program in the City, as prescribed per the Metropolitan Transportation Commission.

Motion: to approve project Plans & Specifications and approve a budget appropriation, adopt Resolution No. 8877 awarding a construction contract; authorize the City Manager to execute the contract with DeSilva Gates Construction, Inc. in the amount of \$3,691,691 for the Street Resurfacing Project 2019, Projects No. 4291 and No. 4296; and authorize the Engineering Director/City Engineer to negotiate and execute contract change orders in an aggregate amount not to exceed \$554,000 for the project

Motion/Second: Councilmember Montano/Councilmember Phan

Motion carried by a vote of: AYES: 5  
NOES: 0

### 4. Adopt Resolution

This item was removed from consent. Councilmember Montano asked about the City's vehicle fleet with Enterprise and wanted to know if those were going to be used rental cars. Public Works Director Tony Ndah replied these would be brand new vehicles, after studying what many cities across California were doing, via a cooperative purchase to lease vehicles. All vehicles would be energy efficient, in varying forms.

Motion: to adopt Resolution No. 8878 approving a Master Equity Lease Agreement with Enterprise Fleet Management through a Cooperative Procurement contract with Sourcewell (formerly NJPA), for an annual amount of \$168,000 and a total amount not to exceed \$840,000 for a five-year period, subject to appropriation of funds

Motion/Second: Councilmember Montano/Vice Mayor Dominguez

Motion carried by a vote of:

AYES: 5

NOES: 0

**5. Adopt Resolution**

This item was removed from consent. Councilmember Montano asked about the list of events that the grant would support. She asked about other groups being recognized. Recreation Director Renee Lorentzen responded those were part of a flag celebration series already planned.

Motion: to adopt Resolution No. 8879 approving City applications for a County of Santa Clara Historic Grant for projects including Lunar New Year, LGBTQ Pride, Cultural Flag Raising Series, and Carlo Park; delegating authority to the City Manager to sign and submit the grant applications to the County of Santa Clara, to sign the grant agreements and administer the project on behalf of the City of Milpitas

Motion/Second:

Councilmember Montano/Councilmember Phan

Motion carried by a vote of:

AYES: 5

NOES: 0

**C6. Delegation of Authority**

Approved delegation of authority to the City Manager (or designee) to approve project related documents and urgent administrative items during the City Council recess scheduled from June 19 – August 5, 2019.

**C7. Approve Councilmember Travel**

Item was removed from the agenda and not considered.

**8. Approve FY 2018-19 Write-off Amounts**

This item was removed from consent. Councilmember Montano asked Assistant Finance Director Jane Corpus what property had paid rent to the City and the reply was a Main St. auto body shop. No rent was received, the business had left the City, and therefore the amount was necessary to write off.

Councilmember Nuñez commented that could be a site to place Accessory Dwelling Units or other rental property on such a site. The City Attorney noted that could be for a future Council discussion.

Motion: to approve accounts receivable write-off for utilities and miscellaneous amounts for the Fiscal Year ending June 30, 2019

Motion/Second:

Councilmember Montano/Councilmember Phan

Motion carried by a vote of:

AYES: 5

NOES: 0

**C9. Agreement – Design for Fire Station No. 2**

Approved and authorized the City Manager to execute a Professional Services Agreement with Swinerton Builders in the amount of \$219,983 for construction management services for replacement of Fire Station No. 2, Project No. 3447.

**C10. Agreement – AAA Backflow Prevention**

Approved the five year Professional Services Agreement with Jordan C. Lee doing business as AAA Backflow Prevention Devices for Backflow Prevention Device Testing and Reporting, for the annual amount of \$24,655 and a total not to exceed \$123,275, subject to appropriation of funds.

**PUBLIC HEARINGS**

**11. Community Development Block Grant funding**

Planner Avery Stark and Housing Authority Administrator Robert Musallam gave a background report, describing the full amount of funding - \$608,734 – to be allocated by the federal Department of Housing and Urban Development (HUD) in Community Development Block Grant (CDBG) funds to the City of Milpitas in the coming Fiscal Year. Funds were to be allocated in three specific categories: public services, capital expenditures and program administration. Recommendations brought to City Council at this meeting were based on the

public hearing held at the Community Advisory Commission (CAC) meeting on March 28, and revised at the CAC meeting on May 1, 2019. Staff also sought Council approval of the Draft Annual Action Plan for these funds in Milpitas.

A representative of the organization Rebuilding Together came to the podium to answer questions from Councilmember Nuñez. He asked about having funds available to more agencies than just one for rehabbing affordable apartments in Milpitas, among other urgent needs.

Councilmember Nuñez made lengthy remarks about his goal to provide the funds to those most in need immediately for housing, rent and rehabilitation, as noted by speakers at the Public Forum during recent Council meetings. He urged funding support of child care and other uses.

Mayor Tran advocated for Next Door Solutions for domestic violence services in Milpitas. He wished to advocate for SALA also. He supported Silicon Valley Living Center and the SV Health Trust, YWCA and Terrace Gardens. On Life Moves homeless services for men, he wanted to divert those proposed funds for homeless services for women.

Councilmember Phan said the last time on CDBG, direction was given to staff about Council giving input well ahead of time, before the budget cycle, so that was needed in future. Time restraints he understood about the federal requirement. He asked if the City could get around that by allocating funds into the Housing Authority for rental assistance and rehabilitation.

City Attorney Chris Diaz had not looked recently at CDBG regulations. There were strict timelines about doling out that money. He could research it and would need to come back. Mr. Phan wanted more flexibility and was trying to meet the City's needs. He asked about energy efficient upgrades to housing.

Vice Mayor Dominguez knew about the strict regulations, from the other side. The City could not re-open the application period and meet all deadlines. Staff and Council shall work with the non-profit organizations (recipient groups). Many have more than one program. They needed to align with Milpitas needs. Her focus would be on helping domestic violence and housing needs. Maybe do a co-partnership with any non-profit group. She recommended a subcommittee to meet in July, find out how many units of service would be provided with each grant, if awarded.

Councilmember Montano also knew that dealing with the federal government, there were a lot of constraints. If the City did not use money by the proper date, then it would be lost. Work with non-profits, she urged, and she wanted to see new applicants next time for the Council priorities, including those for housing related service. Domestic violence incidents occur in Milpitas, so services were needed. She wanted to see an audit on Terrace Gardens and did not know if they were serving those they were supposed to. More outreach and diversity was needed for CDBG.

Councilmember Nuñez replied that annual audits were done for Terrace Gardens. The City Manager could provide those to City Council. The easiest way was to pass this through this year and wait until next year. He did not want to wait and wanted funds to go to those truly needy, getting pushed out of housing.

Mayor Tran did not see the money in CDBG to fund what Mr. Nuñez had referred to, and could discuss those needs at the budget hearing next week. He wanted to go forward as recommended by the Community Advisory Commission.

Building Director Sharon Goei referred to services previously provided at Sunnyhills Church, that were soon to be in-need when the group was moved out from their church's location. That could be discussed at the budget hearing. Staff was seeking direction on priorities for CDBG funds and annual action plan. Applicants were present at the meeting, including Life Moves, which provided assistance to keep people in their homes.

Housing Administrator Robert Musallam described the draft one year Action Plan for FY 2019-20 to be approved after a 30 day comment period. June 12, 2019 was the due date to HUD for the final Annual Action Plan, following input at this meeting.

Mayor Tran opened the public hearing.

Beth Williams of Next Door Solutions, which aided victims of domestic violence since 1971, thanked the City for its ongoing support. She described what her group did for those in need, including helping 63 residents in Milpitas.

Teresa Johnson, from the Health Trust, spoke about hunger in Milpitas and gave a handout to the City Council. Funds were spent on extremely low income people in Milpitas, providing them with healthy food.

Wanda Hale of the Long Term Care Ombudsman program, advocated for the most vulnerable population. There was an unduplicated service in the county, with access to nursing homes and assisted living facilities. The program dealt with elder abuse investigation and service was free.

Joann Price, Vice President of Life Moves, spoke on the number of homeless in the county. Her agenda provided services and direct financial aid to those who cannot stay in homes. They had helped over 160 residents in Milpitas.

Mayor Tran did not support the program unless services were solely for women and children.

Councilmember Montano felt the City needed to support Life Moves.

Councilmember Nuñez asked what services directly helped Milpitas. More discussion on Life Moves' services, its evaluation and reporting, and staff interaction with the non-profit group's staff was explained.

Laura Holden, Child Advocates of Silicon Valley, helped foster children in Santa Clara County. Court appointed advocates ("CASA") were assigned to work one on one with foster children to get their needs met. 50% of children have had four or more adverse actions, she said.

Georgia Bacil, of Senior Adults Legal Assistance, was helping seniors with legal services, provided at the Barbara Lee Senior Center. A minimum of 30 seniors were helped. If not funded with CDBG money, SALA would cut that figure by 50%. She thanked Council for its ongoing past support.

Angelica of YWCA of Silicon Valley thanked the City Council for past support. Essential domestic violence services would be provided to Milpitas residents by her group.

Voltaire Montemayor, resident, said he was for all sides.

Tom Valore, resident and member of Terrace Gardens Board of Directors, noted that the board had a member of the City Council on it. Funds granted were spent appropriately. It was a private corporation (not part of City) and was self-funded. He noted it would not be appropriate for the City to audit that entity, and an audit had been done last year.

Allysson McDonald, Milpitas resident, asked about \$111,000 for staffing to administer these programs. She thought that sounded like too much and did not believe there was one full time employee doing this work.

Mayor Tran asked about Project Sentinel. An attorney from that organization explained that tenant-landlord counseling would occur in Milpitas with the CDBG funding, out of the Fremont office.

The Mayor asked further questions about program administration and use of that category of funds. Building & Housing Director Sharon Goei explained the funds used for city staff to administer the CDBG program, through her department (previously in Planning).

(1) Motion: to close the public hearing, following 11 speakers

Motion/Second: Councilmember Nuñez/Vice Mayor Dominguez

Motion carried by a vote of: AYES: 5  
NOES: 0

Mayor Tran supported all of the organizations on the list, except Life Moves since the funds were not going to women and children (it was for men) in shelters.

Councilmember Nuñez also did not support Life Moves. He asked about Project Sentinel and the additional dollars allocated for this group. Ms. Goei explained there was more in the City budget (next item on the agenda), with \$40,000 more to expand services from the Housing Authority. Mr. Nuñez felt that was not allowed to be funded that way, while the City Attorney believed the Housing Authority could do so.

Councilmember Nuñez said the City needed all these non-profits and the services they provided in Milpitas. The City needed to help renters being displaced and pushed out of homes, along with renter protection programs.

Vice Mayor Dominguez suggest starting a Council Subcommittee to meet in July and work with staff, and vet through some of the applicants. She had questions for Rebuilding Together Silicon Valley, since the funding recommended was a lot. She wanted to fund Next Door Solutions, SV Independent Living, the Health Trust but not that program due to numbers served, SALA, Terrace Gardens, and Project Sentinel.

Councilmember Montano felt there were much program overlapping with housing programs, such as YWCA, Next Door Solutions, Child Advocates, SALA, and Catholic Charities for seniors. She agreed on the Health Trust, as it could be enhanced to do more than Meals on Wheels. On the Council Housing Subcommittee, they could look into this issue.

Mayor Tran reminded City Council that by June 12, the city needed to submit its Annual Action Plan to HUD. Priorities for funding needed to be set.

Councilmember Phan said his priority was housing, with everything else secondary. Whatever approach or the case, he wanted funding set aside for rental assistance. Maybe that could be through a non-profit.

Councilmember Nuñez provided further extended comments, and was not in favor of the way it was always done in Milpitas. At this time this year, it was time to do it differently.

Mayor Tran asked if any organizations in the audience provided direct funding to people for rental assistance, and two raised their hands.

The Mayor next asked if Life Moves would move its funds to womens' shelters including children. Otherwise, he would not support that one.

Vice Mayor Dominguez wanted to be clear on timelines. She asked about having a subcommittee to vet the applications by next Monday and to reallocate funding to match Council priorities.

Councilmember Montano asked staff about a new president of Silicon Valley non-profits and if there had been any outreach. Staff replied not yet. She asked Vice Mayor Dominguez if Council would be contacting people outside the list of recommended non-profits. Ms. Dominguez indicated the goal would be to work with the list already provided.

Mayor Tran asked Mr. Nuñez about the March 28 CAC meeting and discussion. Mr. Nuñez said that Commissioners worked as they'd done in the past. He suggested inviting the Chair of the Commission to the City Council, earlier in the process and allow Commissioners to hear the Council's priority.

Vice Mayor Dominguez wanted to make a motion to create a subcommittee of two members to meet and re-allocate CDBG funding, working with staff, place those into a different priority list, in order to submit documents to HUD by the June 12 deadline. She suggested the Mayor to appoint the members (she volunteered) and to schedule a meeting on Monday.

Mayor Tran wanted to understand how the subcommittee would prioritize needs based on the entire Council. Ms. Dominguez responded that they all heard comments at the dais at this meeting. Councilmember Nuñez said he would second that motion.

Mayor Tran questioned if this proposal was legal.

City Attorney Diaz responded that the full Council would be putting its trust into two City Councilmembers. The group could call out what the priorities should be to the Subcommittee. He mentioned that housing, rental assistance and domestic violence were noted by the majority of Councilmembers.

Mayor Tran asked if each Councilmember would state out loud a priority.

Councilmember Phan noted a prior Non-profits Council Subcommittee. He and Mr. Nuñez were on that. He would be fine if Vice Mayor Dominguez would serve along with Mr. Nuñez on a new subcommittee with a fairly defined scope. He wanted to add to a motion to have the same scope of the former Non-profits Subcommittee.

The City Attorney said a new Subcommittee would be ad hoc. City Council would also need to re-open the public hearing and continue it to June 11 to add to the motion.

Mayor Tran nominated Vice Mayor Dominguez and Councilmember Montano nominated Councilmember Nuñez to go on the new subcommittee, since he knew a lot of people in the non-profit world and was on the Housing Subcommittee.

Motion: to form a new Council Subcommittee on Community Development Block Grant (CDBG) funding to meet very soon, consisting of Vice Mayor Dominguez and Councilmember Nuñez, with a fairly defined scope to review the allocation of CDBG funding recommendations, with an emphasis on housing, rental assistance and domestic violence needs, and to return at the next meeting with revised recommendations for grant funding in FY 2019-20

Motion/Second: Councilmember Phan/Councilmember Montano

Motion carried by a vote of: AYES: 5  
NOES: 0

Motion: to re-open the public hearing on CDBG funding and continue it to a special City Council meeting on Tuesday, June 11, 2019

Motion/Second: Vice Mayor Dominguez/Councilmember Nuñez

Motion carried by a vote of: AYES: 5  
NOES: 0

**12. Consider Action on FY 2019-20 Budget and CIP**

Motion: to open the public hearing and continue it to Tuesday, June 11, 2019 at 6:00 PM at a Special City Council meeting

Motion/Second: Councilmember Nuñez/Councilmember Phan

Motion carried by a vote of: AYES: 5  
NOES: 0



No actions on the new FY 2019-20 City Budget and Capital Improvements Program were taken at this meeting.

## **COMMUNITY DEVELOPMENT**

### **13. Electronic Billboard**

Economic Development Director Alex Andrade provided a background report to Council on how the Request for Proposal and recommended agreement for a new digital billboard to be located next to Interstate 880 was before the Council for approval.

Bruce Qualls, a representative from Clear Channel Outdoors, spoke to the Council.

Mayor Tran looked forward to a high quality visual billboard in Milpitas.

Councilmember Phan thanked the staff for work on the evaluation committee and having a competitive process. Welcome to Clear Channel, he stated.

Councilmember Montano asked why this was the best deal and what were the financial terms. Purchasing Agent Chris Schroeder responded that the specifics of the details of the deal were not allowed to be discussed or disclosed.

Councilmember Nuñez originally asked how many signs the City could end up with and where would those be located. He wanted to know about sites or the last one. He referred to three existing signs and spoke of comments he'd heard, of a complaint regarding two existing signs. His opinion was the lighted sign by Piercey Toyota was a really good. Mr. Andrade responded.

Councilmember Phan had great faith in the vendor to get something that looks better than what Mr. Nuñez described.

Councilmember Montano asked about where the funding would go, referring to revenue from the signs to the City. Maybe the money could go into affordable housing.

Public comment: resident Voltaire Montemayor said all good, thank you.

Campaign contributions from McCarthy were reported by Councilmember Montano. City Attorney Diaz commented some were located, on campaign reports, made to Mayor Tran also. Mr. Diaz explained that these did not prevent voting on this matter by the elected officials. The information was noted only as disclosures.

#### Motion:

1. To approve Clear Channel Outdoor as the most qualified vendor for a digital billboard project located at the northern terminus of Barber Court;
2. To authorize the City Manager to negotiate a Lease Agreement with Clear Channel Outdoor for design, construction and management services of a digital billboard on Barber Court, subject to City Council approval.

Motion/Second:

Vice Mayor Dominguez/Councilmember Phan

Motion carried by a vote of:

AYES: 3

NOES: 0

ABSTAIN: 2 (Montano, Tran)

## **LEADERSHIP**

### **14. Update on Rules Subcommittee**

Vice Mayor Dominguez provided an oral report on what the City Council Rules Subcommittee had discussed over two meetings, to date. She described next steps regarding the process for adding Council items to a City Council agenda, among other topics, and asked for Council input.

Mayor Tran commented on the success of the Rules Subcommittee that he served on with the Vice Mayor. He looked forward to implementing the ideas mentioned.

Councilmember Montano said the process overall was great. She asked if ideas from Council would go to the City Attorney to be vetted. She felt a “pilot” program should be 9 months, not 6 as proposed. She asked if the Council would still apply the “four hours of staff time” or more, requiring a request to go on an agenda. The City Attorney described the proposal to have Councilmembers complete a form, get another Councilmember to sign on the request, submit it to the City Manager, and then bring the request to Rules Subcommittee for review (but not approve or deny it).

Mayor Tran replied, on the request for four hours of staff time, that a topic could never be brought forward alone, since a member would have to link up with one other Councilmember. It then would go to Rules, including a review by City Attorney, and finally would go onto the Council agenda.

Councilmember Phan thought that on the request form, there could be a question asked, How many hours of staff time would it take? This was regarding the scope of the topic being asked about. Management team should provide some input, considering staff’s workload.

Mr. Phan said whatever a Councilmember requested, it would still go onto a Council agenda. So the Subcommittee would not block it.

Councilmember Nuñez noted he was present at the Subcommittee meeting, in the audience. On the current agenda, wording is that Council can ask the City Manager to put an item on an agenda, so that would need to change. He asked about the City Manager and that person’s role. A process in writing should include staff (including the City Manager) items, and that those would be vetted at the Rules Subcommittee.

Mr. Nuñez asked for an explanation of why a Milpitas Municipal Code change was recommended and how that was different than a suggestion or policy.

Councilmember Montano asked if the Subcommittee would look at how many items go on an agenda. Maybe City Council might consider to curtail it a bit, so agendas could be completed.

City Attorney Diaz responded that staff heard all of the direction to the Subcommittee, based on discussion at this meeting, to review at its next meeting on Friday, June 7. No vote was taken.

#### **NEXT AGENDA**

- |                         |  |
|-------------------------|--|
| 15. Preview next agenda | This item was added to the consent calendar. Received a preview list of items for June 18, 2019 City Council meeting agenda. |
|-------------------------|--|

#### **ADJOURNMENT**

Mayor Tran adjourned the joint meeting at 12:09 AM on Wednesday, June 5, 2019.

**The foregoing minutes were approved by Milpitas City Council on June 18, 2019.**

---

**Mary Lavelle**  
**Milpitas City Clerk**